

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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**ANDREW JOSEPH DILEO,**

**Plaintiff,**

**v.**

**SIMMONS UNIVERSITY and UHS  
FULLER d/b/a Arbour Fuller Hospital,**

**Defendants.**

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**Civil Action No.  
24-10005-MJJ**

**ORDER**

**JOUN, D.J.**

Andrew Joseph DiLeo, who is representing himself in his matter, filed a complaint and application to proceed without prepayment of fees with the United States District Court for the District of Rhode Island. By Order, dated December 13, 2023, DiLeo's second application to proceed without prepayment of fees was granted and the case was ordered transferred to this district. *See* Dec. 13, 2023 Text Order, No 23-cv-00407 (D.R.I. Dec. 13, 2023).

Upon review of the pleadings, it is hereby ORDERED:

1. The Clerk shall issue a summons for each Defendant. Plaintiff is responsible for ensuring that the summonses, complaint, and this Order are served on Defendants in accordance with Rule 4 of the Federal Rules of Civil Procedure.
2. Because Plaintiff is proceeding *in forma pauperis*, he may elect to have service completed by the United States Marshals Service ("USMS"). If Plaintiff chooses to have service completed by the USMS, he shall provide the agency with a copy of this Order, all papers for service, and a completed USM-285 form for each party to be served. The USMS shall complete service as directed by Plaintiff with all costs of service to be advanced by the United States. The Clerk shall provide Plaintiff with blank USM-285 forms and instructions for service.
3. Plaintiff shall have 90 days from the date of the issuance of the summonses to complete service. Failure to complete service within 90 days may result in dismissal of the action

without further notice from the Court. *See* Fed. R. Civ. P. 4(m); Local Rule 4.1 (D. Mass.).

**So Ordered.**

/s/ Myong J. Joun  
Myong J. Joun  
United States District Judge

Dated: January 9, 2024